

REMARKS

Applicant thanks Examiner Bartley and Examiner Patel for the courtesies extended to Applicant's representative, Monika Dudek, during the telephonic interview conducted on July 26, 2007. During that interview, the claim features were reviewed in view of the art cited by the Office. It was agreed that Applicant would respond to the rejections in the Final Office Action mailed June 1, 2007 ("Office Action" as used herein). Applicant respectfully presents the following remarks.

Claims 1, 3-6, 11-16, 31-40 are currently pending. Claim 7-9 are currently being cancelled. Claim 3 has been amended to make it consistent with the previous amendment. No new matter has been added.

On page 4 of the Office Action, Claims 1 and 7-9 have been provisionally rejected under 35 U.S.C. § 101 on the ground on non-statutory obviousness-type double patenting as being unpatentable over Claims 1 and Claims 32-33 of co-pending Application No. 11/415,395. Applicant respectfully submits that because Claims 7-9 have been cancelled, the rejection of claims 7-9 is moot. Additionally, as discussed during the interview, independent Claim 1 in this application and claim 1 in the co-pending application are directed to different embodiments of the invention. Applicant respectfully requests reconsideration and removal of the rejection.

On page 5 of the Office Action, Claims 1, 3-9, 11, 14-15, and 31-40 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,339,392 to Risberg (hereinafter "Risberg"), in view of U.S. Patent No. 7,146,615 to Hervet (hereinafter "Hervet"). On page 14 of the Office Action, Claims 12, 13 and 16 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Risberg and Hervet, and further in view of the Official Notice. Applicant respectfully traverses all rejections based on at least the following remarks.

I. Claimed Invention

Claim 1 is directed to a method for an event driven workspace in an electronic trading environment. The claimed method includes among other steps:

"defining a plurality of windows to be associated with a workspace, ..., wherein each of the plurality of windows is displayed according to a first state in the workspace, the first state comprising a particular arrangement of the plurality of windows in the workspace;"

"upon detecting the trigger [by analyzing ... incoming data feeds], changing the state of the plurality of windows ... to the second state in the workspace, the second state comprising a different arrangement of the plurality of windows ... than the first state, wherein the second state provides a user with a more desirable arrangement of the plurality of windows in the workspace based on the defined trigger."

II. First Claim Rejection under 35 U.S.C. § 103(a)

Claims 1, 3-6, 11, 14-15, and 31-40 have been rejected under 35 U.S.C. §103(a) over Risberg and Hervet. Applicant respectfully submits that to establish a *prima facie* case of obviousness, the prior art reference (references when combined) must teach or suggest all the claim limitations. See, e.g., M.P.E.P. §2142. Applicant respectfully submits that independent Claim 1 and its dependent claims are patentable over Risberg and Hervet, because the cited art when combined does not teach or suggest all the claim limitations.

a. Risberg reference

Risberg describes a software program that allows a user to compose a custom active document. (See, e.g., Abstract). A custom active document, in Risberg, includes one or more "sheets," and one example "sheet" is shown in Figure 1. Risberg also describes alarms and alarm scripts, i.e., user defined scripts of commands to be processed when an alarm limit is exceeded. (See, e.g., Abstract and Column 8, lines 55-60). The alarm scripts as defined in

Risberg may be used to perform operations such as sounding an audible alarm, changing a color, flashing an object, etc. (See, e.g., Column 4, lines 20-23). Additionally, as defined in Risberg in Column 17, lines 32-42, the scripts may also navigate between sheets.

Applicant respectfully submits that Risberg does not disclose all features of independent Claim 1. First, the Office states that Risberg does not describe "upon detecting the trigger, changing a state of the plurality of windows ... to a different arrangement." (See, Office Action, page 7). Applicants agree.

Second, Applicant believes that there are other features of Claim 1 missing from Risberg, which have not been addressed by the Office. For example, Risberg also does not teach or suggest having two states defined for a plurality of windows associated with a workspace, "the first state comprising a particular arrangement of *the plurality of windows in the workspace*," and "the second state comprising a different arrangement of *the plurality of windows* in the workspace than the first state," as claimed in Applicant's Claim 1. Applicant respectfully submits that the mere disclosure of "sheets" and the navigation between "sheets" described in Risberg does not disclose different states defined for a plurality of windows associated with a workspace, as claimed in Applicant's Claim 1. After a careful review of Hervet, it too does not disclose at least these features, as addressed more below.

To overcome the Office's acknowledged deficiency of Risberg, the Office turns to Hervet.

b. Hervet reference

Again, after careful review of Hervet, Applicant respectfully submits that Hervet does not add anything to the disclosure of Risberg that would remedy at least the deficiency acknowledged by the Office.

Hervet describes a system for development of interactive applications for use on a TV channel, Internet network, or the like. According to Hervet, the application includes a number of successive interactive scenes, including at least a reference scene (a HOME page). (See, e.g., Column 15, line 46-55.) Hervet also describes a set of event/action pairs to be associated with each scene.

(See, e.g., Column 16, lines 5-8). An event, per Hervet, is caused by an external input, such as a selection of a key on a keyboard by a user. (See, e.g., Column 10, lines 15-20). An action, per Hervet, is an initialization or a modification of a display and representation parameters for one or more constituent scenes of the interactive application. In fact Hervet allows a user to correlate event/action pairings when developing an interactive application using a number of interfaces shown in Figures 3a-3j. (See, e.g., Column 18, lines 34-50, and Column 19, lines 14-21).

To overcome the deficiency of Risberg stated by the Office, i.e., “upon detecting the trigger, changing a state of the plurality of windows ... to a different arrangement ,” the Office turns to Column 19, lines 14-21 in Hervet. More specifically, on page 7 of the Office Action, the Office concluded that Hervet in Column 19, lines 14-21, “provides for a plurality of windows associated with triggering events that correspond to a different state. Therefore, it would have been obvious ... to include a different arrangement of window(s) for displaying a triggered action related to a change in state.” Applicant respectfully submits that the “windows” described in Column 19 in Hervet are merely configuration interfaces that allow a user to create event/action pairs for an interactive application being developed by a user. The configuration windows in Hervet are not themselves arranged. The use of configuration windows for correlating events and actions in Hervet does not disclose at least “upon detecting the trigger, changing a state of the plurality of windows ... to a different arrangement.” Applicant submits that other parts of Hervet also do not teach or suggest the aforementioned feature.

Additionally, Hervet does not teach or suggest the aforementioned second feature of using two states for a plurality of windows associated with a workspace, “the first state comprising a particular arrangement of the plurality of windows in the workspace,” and “the second state comprising a different arrangement of the plurality of windows in the workspace than the first state,” as claimed in Applicant’s Claim 1.

As such, neither cited art discloses a method that has *different arrangement* of the *same* windows from state 1 to state 2, much less the triggering feature that switches between the two states in the same workspace.

For at least these reasons, Applicant submits that Claim 1 is not taught by Risberg and Hervet, taken alone or in combination. Claims 3-6, 11, 14-15, and 31-39 depend from Claim 1 and in addition to all limitations of Claim 1, add additional limitations that are not taught in the cited art. Also, because independent Claim 40 includes the same limitations as Claim 1, Claim 40 is not taught by the cited art either.

III. Second Claim Rejection under 35 U.S.C. § 103(a)

Claims 12-13 and 16 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Risberg and Hervet, and further in view of the Official Notice. Because Claims 12-13 and 16 depend from Claim 1 and include all limitations of Claim 1, Applicant incorporates the remarks from the previous section herein by reference. For the same reasons, Applicant respectfully submits that Claims 12-13 and 16 are not taught by the cited art.

IV. Conclusion

In view of the foregoing, Applicant respectfully submits that the claimed invention is not taught by Risberg/Hervet combination. Accordingly, favorable reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) are respectfully requested.

In the event that the Office maintains the rejection of independent Claims 1 and 40 (or dependent claims) under 35 U.S.C. § 103(a), Applicant respectfully requests that the Office, in the interest of expedited prosecution, identify, with the specificity required to establish a *prima facie* case of obviousness, where in the cited art is an alleged disclosure of the aforementioned features.

If Examiner believes that further dialog would expedite consideration of the application, Examiner is invited to contact Trading Technologies in-house

Patent Counsel Monika Dudek at 312-476-1118, or the undersigned attorney or agent.

Respectfully submitted,

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